

CHAPTER 1

Rules and Regulations of the Behavioral Health Division Mental Health and Substance Abuse Services

General Provisions

Section 1. Authority. This Chapter is promulgated by the Wyoming Department of Health pursuant to W.S. §§ 7-13-1601 through 1615; W.S. § 9-2-102; W.S. § 9-2-2701; W.S. §§ 35-1- 611 through 627; 2013 Wyoming Session Laws 206; and the Wyoming Administrative Procedure Act at W.S. §§ 16-3-101 through 115.

Section 2. Purpose and Applicability. These rules have been adopted to establish definitions applicable to Chapters 2 through 8, Rules and Regulations of the Behavioral Health Division, Mental Health and Substance Abuse Services.

Section 3. Terminology. Except as otherwise specified, the terminology used in these rules is the standard terminology used in the industry, and has the standard meaning used in accounting, healthcare, Medicaid, and Medicare.

Section 4. Definitions.

(a) “Administrator” means the Senior Administrator of the Behavioral Health Division or Division staff designated by the Senior Administrator.

(b) “ASAM criteria” means the American Society of Addiction Medicine Patient Placement Criteria for substance use clients published by the American Society of Addiction Medicine. The ASAM criteria are incorporated herein by this reference as of the effective date of this Chapter. This incorporation by reference does not include any later amendments or editions of the incorporated matter. The incorporated matter may be viewed at <http://www.asam.org/publications/the-asam-criteria> or copies may be obtained at cost from the Department.

(c) “Behavioral health services” means mental health and/or substance use services and supports provided to persons with mental illness and/or substance use disorders.

(d) “Bio-psychosocial spiritual needs” means the biological, psychological, social and spiritual needs which play a significant role in behavioral health disorders and which contribute to a client’s functioning.

(e) “Case management” means activities guided by a client’s treatment plan which bring services, agencies, resources, and people together within a planned framework of action toward the achievement of established treatment goals, including wrap around

services. Activities include linkage, monitoring/follow-up, referral, advocacy and crisis intervention.

(f) “Certification” means a process to formally recognize that the provider has met the requirements of these rules to provide substance use services to court ordered individuals and/or behavioral health services purchased by the Division.

(g) “Community mental health or substance abuse center” means an organization that

(i) Is licensed to conduct business in the State of Wyoming;

(ii) Is governed by a citizen board;

(iii) Has a local identity,

(iv) Participates as a member of the community;

(v) Is responsive to community needs;

(vi) Operates at least one (1) full-time office in each county served, staffed a minimum of forty (40) hours per week;

(vii) Provides affordable, accessible and effective services that address individual needs and that are available to all persons who need services, regardless of the ability to pay for services; and

(viii) Provides a comprehensive range of services for persons with behavioral health disorders including specialized services for the priority populations.

(h) “Corrective actions” means changes in policy and/or practice that are a result of a complaint and/or an investigation process or noncompliance with a quality improvement plan or these rules.

(i) “Department” means the Wyoming Department of Health.

(j) “Detoxification” means an organized residential service delivered by appropriately trained staff that provides 24-hour supervision, observation and support for clients who are intoxicated or experiencing withdrawal. There are two levels of detoxification: social detoxification which is characterized by emphasis on peer and social support; and medically managed detoxification which is provided within a hospital setting.

(k) “Division” means the Behavioral Health Division within the Wyoming Department of Health.

(l) “Driving under the influence/minor in possession (DUI/MIP) services” means assessment and education services for persons arrested for driving under the influence or minor in possession of illegal substances.

(m) “Emergency services” means direct contact with a person in crisis as an intervention to prevent escalation of the crisis and to triage the person into needed services.

(n) “Engagement services” means face-to-face staff contact with an individual who is waiting to be admitted into treatment for the purpose of maintaining the individual’s motivation and to help prepare them for treatment.

(o) “Evidence based practice” means behavioral health interventions as identified by the Substance Abuse and Mental Health Services Administration’s (SAMHSA) National Registry of Evidence-based Programs, for which systematic empirical research has provided evidence of statistically significant effectiveness in treating specific problems and populations. The SAMHSA National Registry of Evidence-based Programs is incorporated herein by this reference as of the effective date of this Chapter. This incorporation by reference does not include any later amendments or editions of the incorporated matter. The incorporated matter may be viewed at <http://nrepp.samhsa.gov> or copies may be obtained at cost from the Department.

(p) “Executive director” means the individual responsible for the overall management of an agency or program. The term encompasses other titles including but not limited to chief executive officer, sole proprietor, president, and program administrator.

(q) “Governing board” means the board of directors of a private nonprofit corporation or a community board as defined in W.S. § 35-1-613(a)(i) or a public agency as defined in W.S. § 35-1-613(a)(vi).

(r) “Intensive outpatient program (IOP)” means structured substance use and mental health treatment programming consisting primarily of counseling and education. IOP is considered to be more intensive than outpatient counseling and can function as a step-down from a higher level of care.

(s) “Intervention services” means skilled treatment services, which include but are not limited to individual and group counseling, family counseling, educational groups, skills training, occupational and recreational therapy, medication assisted treatment, and psychotherapy or other therapies, as indicated by client need.

(t) “Medication assisted treatment (MAT)” means the use of medications, excluding those used for detoxification, which are used in combination with counseling and behavioral therapies to support recovery and provide a whole-person approach to the treatment of substance use disorders. Medications utilized in MAT are buprenorphine (Suboxone® and Subutex®), acamprosate, naltrexone, disulfiram, and methadone as

approved by the Food and Drug Administration and the Center for Substance Abuse Treatment.

(u) “Multi-county consortium” means a formal agreement between two or more providers in different counties to share funding, administrative support, clinical staff or other resources to ensure a continuum of service availability and increase cost effectiveness.

(v) “National accreditation” means accreditation issued by The Joint Commission (TJC), the Commission on Accreditation of Rehabilitation Facilities (CARF), or National Integrated Accreditation for Healthcare Organizations (NIAHO).

(w) “Needs assessment” means a systematic process to assess and document specific needs among a population, the results of which guide future planning activities.

(x) “Ombudsman program” means a program which advocates for the rights of individuals by investigating and resolving problems and grievances, providing information and working with institutions, organizations and agencies to increase the effective provision of services to the people they serve.

(y) “Outpatient substance use treatment services” means clinical treatment services provided to persons diagnosed with a substance use disorder which are delivered in the community or in a non-residential and non-inpatient setting.

(z) “Peer specialist” means a person who is or has been a recipient of mental health services for serious mental illness and/or substance use/addiction treatment, who is credentialed by the Division and employed by a provider. The purpose of a peer specialist is to advance a sense of hope, assist a client to direct their own recovery, to maximize the utilization of available community resources and provide expertise and consultation to the entire treatment team to promote a culture in which each client's point of view and preferences are recognized, understood, respected, and integrated.

(aa) “Promising practice” means an administrative or clinical practice that has some scientific research or data showing positive outcomes but does not have enough evidence to support generalizable conclusions.

(bb) “Qualified clinical staff” means persons who are licensed or certified in Wyoming:

(i) Under the Wyoming Mental Health Professions Licensing Act, W.S. §§ 33-38-102 through 33-38-113,

(ii) To practice psychology,

(iii) To practice medicine, or

(iv) As an Advanced Practice Registered Nurse.

(cc) “Quality improvement plan” means a written plan to implement corrective actions identified by the Division to achieve measureable improvements in efficiency, effectiveness, performance, accountability, outcomes and/or other indicators.

(dd) “Quality of care review” means review by the client’s treatment team of clinical documentation for the purpose of reviewing the client’s progress in treatment and the services provided to ensure the most appropriate level of care is provided, to coordinate needed services outside the agency, and for internal quality assurance.

(ee) “Recovery supports” means provider sponsored activities and services which advance a sense of hope, compliment and support treatment, increase treatment engagement, improve outcomes and enhance recovery. Generally, recovery supports are developed and conducted by persons who are in recovery. Examples of recovery supports include peer specialist services, recovery coaches, and non-clinical individual rehabilitation services. Recovery supports do not include 12-Step activities.

(ff) “Residential treatment services” means services provided in a free standing or hospital based facility which provides room and board and operates twenty-four (24) hours per day , seven (7) days per week. A residential treatment facility offers evaluation, a planned regimen of treatment services including the staff-monitored administration of prescribed medication, and other supports as indicated by the individual’s treatment plan. The goal of residential treatment is to provide a protective environment that includes support, supervision and treatment to persons with substance use addiction and co-occurring disorders.

(gg) “Service area” means a single county, multiple counties or a region, which is defined by the Division.

Section 5. Severability. If any portion of this Chapter is found to be invalid or unenforceable, the remainder shall continue in full force and effect.